

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Rainer Minixhofer Art Unit : 2892
Serial No. : 10/578,960 Examiner : Robert T. Huber
Filed : March 30, 2007 Confirmation No.: 3880
 Notice of Allowance Date: November 4, 2009
Title : OPTOELECTRONIC COMPONENT WHICH CAN DETECT RADIATION

MAIL STOP ISSUE FEE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COMMENTS ON EXAMINER'S REASONS FOR ALLOWANCE

Applicant recognizes that in accordance with M.P.E.P. § 1302.14, the Examiner's reasons for allowance need not set forth all of the details as to why the claims are allowed. In the above-referenced application, Applicant does not concede that the Examiner's stated reasons for allowance are the only reasons for which the claims are allowable. In particular, Applicant does not concede that all of the identified features—i.e., “at least three radiation-sensitive zones formed in silicon, wherein a zone plate is used to focus electromagnetic radiation including red, blue, and green light into three separate radiation sensitive zones, wherein the zones are configured to detect the electromagnetic radiation such that the shorter wavelength radiation (e.g. blue light) is detected by the radiation-sensitive zone at a greater distance from the zone plate than the radiation-sensitive zone that detects longer wavelength radiation (e.g. red light)”¹ and “that a radiation sensitive zone that detects shorter wavelength may exist at a greater distance from the surface of the substrate greater than a radiation sensitive zone that detects longer wavelength”²—are necessary to distinguish the prior art of record or to satisfy the requirements of 35 U.S.C. § 112. Furthermore, the claims may be patentable for other reasons. In addition, dependent claims are allowable on their own merits, and are allowable on the basis of a sub-combination of the recited features of the dependent claims and their respective base claims.

¹ See Notice of Allowability at page 3.

² See Notice of Allowability at page 4.

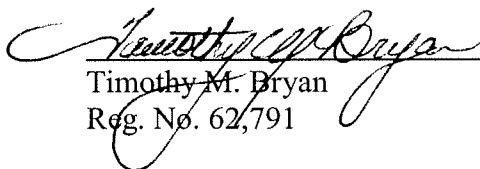
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Attorney's Docket No.: 14603-0022US1 / P2003,0796
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Please apply any additional charges or credits to our Deposit Account No. 06-1050,
referencing Attorney Docket No. 14603-0022US1.

Respectfully submitted,

Date: February 4, 2010


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